

**IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 2:18-cr-00352-ECM-SMD
)	
TIMOTHY DEAN PETTIWAY)	

MOTION TO RECONSIDER DETENTION ORDER
(DOC# 66) DUE TO MEDICAL NECESSITY

COMES NOW, the Defendant, Timothy Pettiway by and through his attorney of record and moves this Honorable Court to reconsider its decision in denying his release pending the finality of this (DOC# 66) as grounds therefore states as follows:

1. Mr. Pettiway is currently before this Honorable Court on a two count Indictment for the charge(s) of Conspiracy and one count of theft from an Indian Gaming Casino in excess of \$1,000.

2. As this Court is aware Mr. Pettiway is a resident of Montgomery, and has family ties to the Montgomery area as well.

3. Furthermore, Mr. Pettiway cares for his minor child and two of his sister's children. These minor children depend solely upon Mr. Pettiway for their physical, mental, emotional, and financial needs.

4. In addition, Mr. Pettiway now faces a severe medical issue concerning his left eye. Specifically, Mr. Pettiway was unfortunately shot in the left side of his face affecting his vision in his left eye and also leaving him semi-paralyzed on his left side. Mr. Pettiway was subjected to several surgeries to retain vision in his left eye. Mr. Pettiway receives social security disability for this defect.

5. Recently, Mr. Pettiway has begun to experience issues with his left eye once again. He has seen the nurse within the Montgomery City Jail and has been instructed to see an optometrist immediately. Mr. Pettiway is fearful that if he isn't allowed an opportunity to see a specialist regarding his eye he may lose vision in his left eye permanently.

6. Mr. Pettiway has recently entered a Notice of Intent to Change Plea and intends on accepting responsibility for his action along with any punishment that may come thereafter.

WHEREFORE, these premises are considered Mr. Pettiway prays that upon a review of the foregoing this Honorable Court will reconsider its decision issued in the Detention Order (DOC#66) and allow him to be released for treatment pending a Sentencing Hearing in this cause.

Respectfully Submitted on this the 1st day of February, 2019.

/s/ Preston L. Presley
Preston L. Presley

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CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing document upon the United States Attorney by e-filing a copy of the same on this the 1st day of February, 2019.

/s/ Preston L. Presley
Preston L. Presley (PRE030)